

AMENDED IN ASSEMBLY MAY 28, 2015

AMENDED IN ASSEMBLY MAY 4, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 854**

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**Introduced by Assembly Member Weber**

February 26, 2015

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An act to amend Sections 42920.5, 42921, 42922, 42923, and 42924 of, to add Sections ~~42921.5, 42926, 42926~~ and 42927 to, and to repeal and add Sections 42920 and 42925 of, the Education Code, relating to educational services.

LEGISLATIVE COUNSEL'S DIGEST

AB 854, as amended, Weber. Educational services: pupils in foster care.

(1) Existing law requires 6 specified foster children services program sites to receive a certain allowance that is required to be used exclusively for foster children services. Existing law authorizes any county office of education, or consortium of county offices of education, to apply to the Superintendent of Public Instruction for grant funding, to the extent the funds are available, to operate an education-based foster youth services program to provide educational and support services for foster children who reside in a licensed foster home or county-operated juvenile detention facility, as specified.

This bill would instead authorize a county office of education, or consortium of county offices of education, in addition to the 6 specified program sites, to apply to the Superintendent for grant funding, to the extent funds are available, to operate an education-based foster youth

services program to provide educational support for pupils in foster care. The bill also would provide, commencing with the 2016–17 fiscal year, that each of the 6 specified program sites shall receive, in addition to their local control funding formula apportionment, an allowance equal to the amount the school district spent on foster children service programs in the 2014–15 fiscal year.

(2) Existing law also requires each foster youth services program to identify at least one person as the foster youth educational services coordinator, if sufficient funds are available, and assigns the foster youth educational services coordinator certain responsibilities, and requires him or her to facilitate the provision of educational services, as provided, to certain foster youth. Existing law authorizes a foster youth services program to prescribe a methodology for determining which pupils may be served.

This bill would instead require the identified foster youth educational services coordinator to facilitate the provision of educational support to any pupil in foster care residing or attending school in the county, as specified. The bill would authorize a foster youth services program, in consultation with local educational agencies, the county social services agency, and the county probation department, to prescribe the methodology for designing specific educational supports for pupils in foster care, as specified. The bill would require each foster youth services program to develop and implement a foster youth services plan, as specified, and to work with its county office of education to ensure the implementation of certain portions of county and school district local control and accountability plans, as specified. The bill would require each foster youth services program to establish a local interagency Executive Advisory Council, as provided. ~~The bill would require each school district or charter school to designate a schoolsite-based staff person as a liaison to pupils in foster care if a schoolsite has one or more pupils in foster care, and to provide the liaison's contact information to the school district foster youth services coordinator and the county foster youth services coordinator. By imposing additional duties on school districts and charter schools, the bill would impose a state-mandated local program.~~

(3) Existing law requires the Superintendent, by February 15 of each even-numbered year, to report to the Legislature and the Governor on the foster children services provided by school districts, as specified, and requires each school district providing foster children services to report to the Superintendent, by January 1 of each even-numbered year,

any information the Superintendent may require for purposes of preparing the report.

The bill would instead require each county office of education providing foster youth services to report to the Superintendent, by January 1 of each even-numbered year, any information the Superintendent may require and that is accessible to the foster youth services program for purposes of preparing the report that is submitted to the Legislature and the Governor by February 15 of each even-numbered year, and would require the report to include different information, including aggregate educational outcome data, as specified.

(4) Existing law provides that any school district which provides educational services for foster children pursuant to the provisions above shall receive funding in any fiscal year for those services only by such sums as may be specifically appropriated by the annual Budget Act of the Legislature for that fiscal year for support of those school-centered foster children services which provide program effectiveness and potential cost savings to the state.

This bill would instead provide that a county office of education that provides educational support for pupils in foster care shall receive funding in any fiscal year for that support only by such sums as may be specifically appropriated by the annual Budget Act of the Legislature for that fiscal year for support of foster youth services programs that provide pupils in foster care with supplemental educational support. The bill also would require county offices of education with a foster youth services program, to the extent possible, to develop and enter into a memorandum of understanding, contract, or formal agreement with the county child welfare agency to leverage funding, as specified.

(5) This bill also would require the Superintendent to identify a State Foster Youth Services ~~Director~~ *Coordinator* within the State Department of Education who would have certain responsibilities related to foster youth services programs, and would authorize the State Foster Youth Services ~~Director~~ *Coordinator* to form an advisory committee, as specified. The bill would also authorize the Superintendent to provide funding to one or more local educational agencies to work with the State Foster Youth Services ~~Director~~ *Coordinator* to provide the statewide technical support needed to improve the educational success of pupils in foster care, as specified.

~~(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42920 of the Education Code is repealed.
- 2 SEC. 2. Section 42920 is added to the Education Code, to read:
- 3 42920. The Legislature finds and declares all of the following:
- 4 (a) Pupils in foster care represent one of the most vulnerable
- 5 and academically at-risk pupil groups enrolled in California
- 6 schools. The academic status of pupils in foster care is often
- 7 profoundly impacted by the foster care system in which many
- 8 pupils in foster care experience multiple placements with an
- 9 average frequency of one placement change every six months. Due
- 10 to this movement, pupils in foster care lose an average of four to
- 11 six months of educational attainment with each move. Therefore,
- 12 it is essential to recognize, identify, and plan for the critical and
- 13 unique educational needs of pupils in foster care.
- 14 (b) A high percentage of pupils in foster care are working
- 15 substantially below grade level, and over one-half of the pupils in
- 16 foster care are retained at least one year in the same grade level.
- 17 Pupils in foster care earn lower grades and achieve lower scores
- 18 on standardized achievements tests in reading and mathematics,
- 19 have lower levels of engagement in school, and are half as likely
- 20 as pupils not in foster care to be involved in extracurricular
- 21 activities. The long-term consequences of poor academic
- 22 experiences are significant. Pupils in foster care are twice as likely
- 23 as pupils not in foster care to drop out of school before graduation
- 24 and only 45 percent of pupils in foster care have graduated from
- 25 high school at the time of emancipation. Foster youth are similarly
- 26 under represented in college enrollment rates and dramatically
- 27 underperform their peers in relation to college completion. Pupils
- 28 in foster care are also subject to disproportionate levels of
- 29 disciplinary measures, including suspension and expulsion. It is
- 30 imperative that California close the foster youth achievement gap
- 31 so that pupils in foster care can realize their full potential, reach

1 their college and career goals, and become independent, productive  
2 members of society.

3 (c) Foster youth are an especially vulnerable pupil population,  
4 as they are often also members of other underserved pupil groups.  
5 In 2013, the demographic data of pupils in foster care in California  
6 were as follows:

7 (1) The largest ethnic group amongst pupils in foster care was  
8 Hispanic, with nearly half of the population.

9 (2) African American and Native American pupils continue to  
10 be disproportionately represented in the child welfare system, as  
11 researchers found that 26 percent of pupils in foster care were  
12 African American despite African Americans only accounting for  
13 7 percent of the pupil population in California, and 2 percent of  
14 pupils in foster care were Native American despite Native  
15 Americans only accounting for 1 percent of the pupil population  
16 in California.

17 (3) Nearly one in five pupils in foster care had special education  
18 needs, which is over twice the rate of the statewide pupil  
19 population.

20 (4) More than one in ~~ten~~ 10 pupils in foster care were English  
21 learners.

22 (d) Compounded by the research that indicates that there is a  
23 need for California to close the achievement gap between specific  
24 ethnic pupil populations and white pupils, addressing the foster  
25 youth achievement gap will further efforts that support education  
26 equity for all pupils.

27 (e) Given their current academic status, pupils in foster care are  
28 more likely to achieve to their full potential when they are provided  
29 services and programs designed to meet their particular needs,  
30 including, but not limited to, supplemental instruction, counseling,  
31 tutoring, and other support services.

32 (f) Policies and laws addressing the educational rights of pupils  
33 in foster care must be implemented so that pupils in foster care are  
34 immediately enrolled in school, provided access to meaningful  
35 opportunities to meet state pupil academic achievement standards  
36 to which all pupils are held, and provided access to a rigorous  
37 curriculum, adequately prepared to enter postsecondary education,  
38 and afforded the academic resources, services, and extracurricular  
39 and enrichment activities made available to other pupils enrolled  
40 in California's public schools, including, but not limited to,

1 interscholastic sports administered by the California Interscholastic  
2 Federation. In fulfilling their responsibilities to these pupils,  
3 educators, county placing agencies, caregivers, advocates, and the  
4 juvenile courts will work together to ensure that each pupil is  
5 placed in the least restrictive educational environment.

6 (g) Foster youth services programs provide pupils in foster care  
7 needed educational support and are a state priority.

8 SEC. 3. Section 42920.5 of the Education Code is amended to  
9 read:

10 42920.5. (a) Commencing with the 2016–17 fiscal year, and  
11 each fiscal year thereafter, each of the following six foster youth  
12 services program sites: Elk Grove, Mount Diablo, Sacramento  
13 City, San Juan, Paramount, and the Placer Nevada consortium,  
14 shall receive, in addition to their local control funding formula  
15 apportionment, an allowance from the amount annually transferred  
16 to Section A of the State School Fund equal to the amount the  
17 school district spent on foster children service programs in the  
18 2014–15 fiscal year, adjusted to reflect cost-of-living increases by  
19 the total percentage increase received by all categorical education  
20 programs. In no event shall this cost-of-living adjustment exceed  
21 the inflation adjustment provided pursuant to Section 42238.

22 (b) This allowance shall be used exclusively for foster children  
23 services.

24 (c) The six program sites may continue to record revenue  
25 received pursuant to this subdivision in the same manner used to  
26 record revenue received for foster children services in the 1981–82  
27 fiscal year.

28 (d) The six program sites shall maintain their foster children  
29 services programs in fiscal year 1995–96 and each subsequent  
30 fiscal year at a program level comparable to that at which they  
31 administered those programs in fiscal year 1994–95.

32 SEC. 4. Section 42921 of the Education Code is amended to  
33 read:

34 42921. (a) In addition to the six program sites specified in  
35 Section 42920.5, a county office of education, or consortium of  
36 county offices of education, may elect to apply to the  
37 Superintendent for grant funding, to the extent funds are available,  
38 to operate an education-based foster youth services program to  
39 provide educational support for pupils in foster care.

1 (b) Each foster youth services program operated pursuant to  
2 this chapter, shall have at least one person identified as the foster  
3 youth educational services coordinator. The foster youth  
4 educational services coordinator shall facilitate the provision of  
5 educational support pursuant to subdivision (e) to any pupil in  
6 foster care residing or attending school in the county.

7 (c) For purposes of this chapter, a pupil in foster care means a  
8 foster youth, as defined in paragraph (b) of Section 42238.01 or a  
9 foster child who resides in a county-operated juvenile detention  
10 facility.

11 (d) (1) It is the intent of the Legislature that pupils in foster  
12 care with the greatest need for services be identified as the first  
13 priority for foster youth services.

14 (2) In consultation with local educational agencies, the county  
15 social services agency, and the county probation department, a  
16 foster youth services program operated pursuant to this chapter  
17 may prescribe the methodology for designing specific supports  
18 for pupils in foster care, including, guiding principles that establish  
19 a hierarchy of services. In doing so, applicable methodologies may  
20 include, but are not limited to, the needs of specific age groups,  
21 pupils in foster care in specific geographic areas with the highest  
22 concentration of pupils in foster care, and pupils in foster care with  
23 the greatest academic need. A foster youth services program is  
24 encouraged to first provide services for pupils in foster care who  
25 reside in group homes, institutional settings, or other placements  
26 with pupils with high academic needs, as determined by the local  
27 Executive Advisory Council.

28 (e) Each foster youth services program operated pursuant to this  
29 chapter shall develop and implement a foster youth services plan.  
30 The plan shall document how the program will, to the extent  
31 possible, do the following:

32 (1) Collaborate with county child welfare agencies, county  
33 probation departments, and local educational agencies to minimize  
34 changes in school placement and support the implementation of  
35 subdivision (c) of Section 48853. To the extent possible, the foster  
36 youth services program may pay for the cost of transportation to  
37 support this paragraph.

38 (2) Collaborate with county child welfare agencies, county  
39 probation departments, and local educational agencies so that when  
40 it is in the best interests of a pupil in foster care to transfer schools,

1 transfers are done at an educationally appropriate time, educational  
2 records are quickly transferred, appropriate partial credits are  
3 awarded, and the pupil in foster care is quickly enrolled in  
4 appropriate classes.

5 (3) In an effort to support the educational achievement of pupils  
6 in foster care, how they will do the following:

7 (A) Collaborate with county child welfare agencies, county  
8 probation departments, and local educational agencies to ensure  
9 pupils in foster care have an active education team that, to the  
10 extent possible, may include an educational rights holder, caregiver,  
11 social worker, teacher, counselor, court-appointed special advocate,  
12 other stakeholders, and the pupil, if appropriate.

13 (B) Participate in education teams as is helpful and needed. For  
14 purposes of this section, “education teams” includes, but is not  
15 limited to, existing education teams such as individualized  
16 education program teams, student success teams, student study  
17 teams, and multidisciplinary teams. Nothing in this section shall  
18 be construed to prevent local educational agencies from  
19 establishing additional education teams.

20 (C) Help the education team assess the educational strengths  
21 and needs of the pupil in foster care, and help develop, monitor,  
22 and update an education plan based on those strengths and needs.  
23 For purposes of this section, “education plans” includes, but is not  
24 limited to, existing education plans such as individualized  
25 education programs, student success plans, and multidisciplinary  
26 team plans. Nothing in this section shall be construed to prevent  
27 local educational agencies from establishing additional education  
28 plans.

29 (D) Provide tutoring, mentoring, counseling, transition,  
30 school-based social work, and emancipation services, if those  
31 services are established as needed and identified by the local  
32 Executive Advisory Council to ensure that the services are aligned  
33 with local control and accountability plan priorities and the county  
34 child welfare agency, county probation department, or local  
35 educational agency are unable to provide those services.

36 (E) Maintain information on all of the following for purposes  
37 of ensuring that pupils in foster care, educational rights holders,  
38 and other education team members are informed of all available  
39 opportunities:

40 (i) Available schools to ensure appropriate placement.

- 1 (ii) Educational programs, including linked learning programs
- 2 and special education programs.
- 3 (iii) English learner programs.
- 4 (iv) After school and summer enrichment opportunities.
- 5 (v) Other appropriate supports and services.
- 6 (F) Maintain information on postsecondary educational
- 7 institutions, career and technical education programs, and
- 8 postsecondary opportunities for purposes of ensuring that pupils
- 9 in foster care, educational right holders, and other members of the
- 10 education team have the information necessary to support access
- 11 to postsecondary education, career program, and related supports,
- 12 including financial aid.
- 13 (G) Collaborate with local postsecondary educational
- 14 institutions, including the California Community Colleges, the
- 15 California State University, and the University of California, and
- 16 with county independent living programs to facilitate a seamless
- 17 transition from high school to postsecondary educational
- 18 institutions, and provide pupils in foster care currently enrolled in
- 19 high school with assistance with college application, matriculation,
- 20 and financial aid.
- 21 (4) Facilitate, on behalf of individual pupils in foster care, to
- 22 ensure:
  - 23 (A) Transfer of records.
  - 24 (B) Transcript analysis.
  - 25 (C) Credit recovery.
  - 26 (D) Timely individualized education programs in collaboration
  - 27 with the local educational agency in accordance with the federal
  - 28 Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400
  - 29 et seq.) and all special education services.
  - 30 (E) Timely placement in English learner programs, in
  - 31 collaboration with local educational agencies, as needed.
  - 32 (F) Enrollment in, or transition to, comprehensive schools or
  - 33 the least restrictive educational placements, when appropriate.
  - 34 (G) Education entitlements specific to pupils in foster care are
  - 35 provided, including, but not limited to, receiving partial credits,
  - 36 the right to attend the pupil's school of origin, access to
  - 37 extracurricular and enrichment activities, including, but not limited
  - 38 to, interscholastic sports administered by the California
  - 39 Interscholastic Federation made available to all other pupils, and
  - 40 graduation requirements.

1     (5) ~~Collaborate~~ *Collaborate, to the extent possible*, with local  
2 educational agencies, county child welfare agencies, juvenile  
3 courts, county probation departments, and special education local  
4 plan areas in an effort to have pupils in foster care have an  
5 identified educational rights holder with the capacity to support  
6 educational success by:

7     (A) Helping a local educational agency identify the educational  
8 rights holder of a pupil in foster care.

9     (B) Collaborating with county child welfare agencies and county  
10 probation departments to identify a responsible adult familiar with  
11 the pupil in foster care to serve as the pupil's educational rights  
12 holder.

13     (C) Recruiting volunteer educational rights holders to be used  
14 only after the county child welfare agency, county probation  
15 department, and juvenile court have taken every reasonable effort  
16 to find a responsible adult familiar with the pupil in foster care to  
17 serve as the pupil's educational rights holder.

18     (D) Training and building the capacity of biological parents,  
19 foster parents, and all other educational rights holders to support  
20 educational success, including, but not limited to, the provision of  
21 information related to requirements for postsecondary education  
22 application, matriculation, enrollment, and financial aid.

23     (6) Collaborate with county child welfare agencies, county  
24 probation departments, and local educational agencies to facilitate  
25 information sharing, to the extent possible. This includes, but is  
26 not limited to:

27     (A) Collaborating with county child welfare agencies and county  
28 probation departments to develop, monitor, and regularly update  
29 the education portion of child welfare and probation case plans.

30     (B) Providing education related information to the county child  
31 welfare agency to assist the county child welfare agency in  
32 delivering services to foster children, including, but not limited  
33 to, education status and progress information required to be  
34 included in court reports.

35     (C) Responding to requests from the juvenile court for  
36 information and working with the juvenile court to ensure the  
37 coordination and delivery of necessary educational services.

38     (D) Establishing a mechanism for the efficient and expeditious  
39 transfer of health and education records, and the health and  
40 education passport.

1 (7) Support interagency efforts to improve the educational  
2 outcomes of pupils in foster care, to the extent possible. This  
3 includes, but is not limited to:

4 (A) Collaborating with county child welfare agencies, county  
5 probation departments, and local educational agencies to gather  
6 and analyze aggregate information on the educational challenges  
7 and outcomes of pupils in foster care.

8 (B) Facilitating communication and collaboration between local  
9 educational agencies and county agencies, including, but not  
10 limited to, the county child welfare agencies, county probation  
11 departments, county mental health agencies, and courts within a  
12 county.

13 (C) Providing training and technical assistance to local  
14 educational agencies, governing boards of school districts, county  
15 child welfare agencies, county probation departments, and county  
16 mental health agencies.

17 (D) Collaborate with local colleges and universities to facilitate  
18 a seamless transition from secondary to postsecondary educational  
19 institutions, and provide pupils in foster care currently enrolled in  
20 high school with assistance with college application, matriculation,  
21 and financial aid applications.

22 (f) Each foster youth services program operated pursuant to this  
23 chapter shall work with their county office of education to ensure  
24 the implementation of subdivision (c) of Section 52060 and  
25 subdivision (c) of Section 52066 for pupils in foster care. In doing  
26 so, the foster youth services programs may consider, but are not  
27 limited to, the following in their support of local educational  
28 agencies in developing and implementing the specific actions and  
29 strategies to support the educational achievement of pupils in foster  
30 care:

31 (1) Ensuring that the local educational agency has the necessary  
32 infrastructure to support the educational success of pupils in foster  
33 care, which may include, but is not limited to, local policies,  
34 practices, and agreements.

35 (2) Providing the local educational agency's foster youth liaison  
36 with additional resources to increase the liaison's capacity to  
37 execute his or her responsibilities.

38 (3) Maintaining information on educational programs, supports,  
39 and services provided by the local educational agency, including,  
40 but not limited to, linked learning and career pathways programs,

1 credit-recovery classes, after school classes, school tutoring  
2 resources, California High School Exit Examination tutoring  
3 resources, other remediation services, school social worker  
4 counseling, school-based mental health services, in-school  
5 therapeutic services, summer enrichment opportunities, support  
6 services offered to lesbian, gay, bisexual, transgender, and gender  
7 nonconforming youth, college planning, and financial aid  
8 workshops and counseling.

9 (4) Regularly assessing the educational strengths and needs of  
10 pupils in foster care.

11 (5) Developing, monitoring, and regularly updating education  
12 plans for a pupil in foster care that lists the strengths and needs,  
13 goals and objectives, and the programs, supports, and services the  
14 pupil in foster care will receive.

15 (6) Ensuring that each pupil in foster care receives the programs,  
16 supports, or services needed by the pupil to succeed academically.

17 (7) Monitoring the educational progress of a pupil in foster care  
18 and notifying the appropriate education support team of significant  
19 changes.

20 (g) Each foster youth services program operated pursuant to  
21 this chapter shall establish a local interagency Executive Advisory  
22 Council.

23 (1) The Executive Advisory Council shall include  
24 representatives from the county child welfare agency, the county  
25 probation department, local educational agencies, local  
26 postsecondary educational institutions, and community  
27 organizations. If possible, the Executive Advisory Council may  
28 include, but is not limited to, foster youth, caregivers, educational  
29 rights holders, dependency attorneys, court representatives,  
30 court-appointed special advocates, and other interested  
31 stakeholders.

32 (2) The foster youth *educational* services coordinator shall be  
33 a permanent member of the Executive Advisory Council.

34 (3) The Executive Advisory Council shall regularly review the  
35 recommendations to the foster youth services plan required  
36 pursuant to subdivision (e). In the event of a disagreement, the  
37 ~~Executive Advisory Council~~ *foster youth educational services*  
38 *coordinator* may ask the State Foster Youth Services ~~Director~~  
39 *Coordinator* to mediate a solution.

1 ~~SEC. 5.~~ Section 42921.5 is added to the Education Code, to  
2 read:

3 ~~42921.5. Each school district or charter school receiving funds~~  
4 ~~pursuant to Section 42238.02 shall designate a schoolsite-based~~  
5 ~~staff person to serve as a liaison to pupils in foster care if the~~  
6 ~~schoolsite has one or more identified pupils in foster care. Each~~  
7 ~~such school district and charter school shall provide contact~~  
8 ~~information for each schoolsite liaison to the school district foster~~  
9 ~~youth liaison and the county foster youth services coordinator.~~

10 ~~SEC. 6.~~

11 *SEC. 5.* Section 42922 of the Education Code is amended to  
12 read:

13 42922. (a) A county office of education that provides  
14 educational support for pupils in foster care pursuant to Section  
15 42921 shall receive funding in any fiscal year for that support only  
16 by such sums as may be specifically appropriated by the annual  
17 Budget Act of the Legislature for that fiscal year for support of  
18 the foster youth services programs that provide pupils in foster  
19 care with supplemental educational support.

20 (b) The Legislature may appropriate moneys from the General  
21 Fund for this purpose, or, if sufficient funds are available, from  
22 the Foster Children and Parent Training Fund pursuant to the  
23 provisions of Section 903.7 of the Welfare and Institutions Code.

24 ~~SEC. 7.~~

25 *SEC. 6.* Section 42923 of the Education Code is amended to  
26 read:

27 42923. (a) Each county office of education providing foster  
28 youth services pursuant to this chapter shall, by January 1 of each  
29 even-numbered year, report to the Superintendent any information  
30 as may be required by the Superintendent and as accessible to the  
31 foster youth services program for purposes of subdivision (b).

32 (b) The Superintendent shall, by February 15 of each  
33 even-numbered year, report to the Legislature and the Governor  
34 on the foster youth services programs. The report shall be prepared  
35 with the advice and assistance of providers of foster youth services  
36 and shall include, but not be limited to, the following:

37 (1) Recommendations regarding the continuation of the foster  
38 youth services programs.

1 (2) Recommendations regarding the effectiveness of the foster  
 2 youth services programs, unless program effectiveness is assessed  
 3 in another report covering the same time period.

4 (3) Recommendations regarding the broadening of the  
 5 application of those services and any changes to foster youth  
 6 services programs that would make them more effective.

7 (4) Aggregate educational outcome data for each county in  
 8 which there were at least 15 pupils in foster care who attended  
 9 school in the county, with information on each of the following  
 10 indicators:

11 (A) The number of pupils in foster care who attended school in  
 12 the county.

13 (B) The academic achievement of the pupils in foster care who  
 14 attended school in the county.

15 (C) The number of pupils in foster care who were suspended  
 16 or expelled.

17 (D) The number of pupils in foster care who were placed in a  
 18 juvenile hall, camp, ranch, or other county-operated juvenile  
 19 detention facility because of an incident of juvenile delinquency.

20 (E) The truancy rates, attendance rates, and dropout rates for  
 21 pupils in foster care.

22 (F) (i) The number of pupils in foster care participating in foster  
 23 youth services programs pursuant to this chapter who successfully  
 24 transition to postsecondary education.

25 (ii) The department shall collaborate with the Chancellor of the  
 26 California Community Colleges and the Chancellor of the  
 27 California State University to identify indicators that can be used  
 28 to track access to postsecondary education for pupils in foster care  
 29 participating in a foster youth services program pursuant to this  
 30 chapter.

31 (5) Whenever possible, the data in the report shall be the same  
 32 data that is used by the Superintendent in determining the  
 33 Academic Performance Index or in developing the report required  
 34 pursuant to Section 49085.

35 (6) A discussion of the meaning and implications of the  
 36 indicators contained in paragraph (4).

37 ~~SEC. 8.~~

38 *SEC. 7.* Section 42924 of the Education Code is amended to  
 39 read:

1 42924. Any funds allocated to county offices of education for  
2 foster youth services pursuant to Section 42922 shall be used only  
3 for foster youth services and any funds not used by school districts  
4 or county offices of education for those services shall revert to the  
5 state General Fund.

6 ~~SEC. 9.~~

7 *SEC. 8.* Section 42925 of the Education Code is repealed.

8 ~~SEC. 10.~~

9 *SEC. 9.* Section 42925 is added to the Education Code, to read:

10 42925. (a) Each county office of education with a foster youth  
11 services program operated pursuant to this chapter shall, to the  
12 extent possible, develop and enter into a memorandum of  
13 understanding, contract, or formal agreement with the county child  
14 welfare agency pursuant to which foster youth services program  
15 funds shall be used, to the maximum extent possible, to leverage  
16 funds received pursuant to Title IV–E of the federal Social Security  
17 Act (42 U.S.C. Sec. 670 et seq.) and any other funds that may be  
18 used to specifically address the educational needs of pupils in  
19 foster care, or they shall ~~jointly~~ explain in writing, annually, why  
20 a memorandum of understanding is not practical or feasible.

21 (b) To the extent possible, each foster youth services program  
22 is encouraged to consider leveraging other local funding  
23 opportunities to support the educational success of pupils in foster  
24 care.

25 ~~SEC. 11.~~

26 *SEC. 10.* Section 42926 is added to the Education Code, to  
27 read:

28 42926. (a) The Superintendent shall identify a State Foster  
29 Youth Services ~~Director~~ *Coordinator* within the department who  
30 shall be responsible for all of the following:

31 (1) Monitoring implementation of this chapter.

32 (2) Facilitating the data sharing and reporting described in  
33 Section 49085.

34 (3) Representing the department in policy and interagency  
35 workgroups related to the educational success of pupils in foster  
36 care, that may include, but is not limited to, collaborating with  
37 child welfare, probation, and judicial agencies.

38 (4) Overseeing the technical assistance described in Section  
39 42927.

1 (5) Providing technical support and mediation to foster youth  
2 services programs and their oversight boards.

3 (6) Review a county office of education’s local control and  
4 accountability plan as it relates to foster youth.

5 (b) The State Foster Youth Services ~~Director~~ *Coordinator* may  
6 form an advisory committee to provide consultation to the State  
7 Foster Youth Services ~~Director~~ *Coordinator* in regards to the  
8 responsibilities described in subdivision (a).

9 ~~SEC. 12.~~

10 *SEC. 11.* Section 42927 is added to the Education Code, to  
11 read:

12 42927. (a) The Superintendent may provide funding to one or  
13 more local educational agencies to work with the State Foster  
14 Youth Services ~~Director~~ *Coordinator* to provide statewide technical  
15 support to ensure educational, child welfare, and judicial agencies  
16 receive the technical support needed to improve the educational  
17 success of pupils in foster care.

18 (b) Technical assistance may include, but is not limited to, the  
19 following areas:

20 (1) State and local data sharing, and appropriate use of shared  
21 data.

22 (2) Improving county office of education foster youth services  
23 programs.

24 (3) Assisting local educational agencies to develop and  
25 implement specific actions and to increase the academic  
26 performance of pupils in foster care, as required by subdivision  
27 (c) of Section 52060.

28 (4) Policy and legal guidance specific to pupils in foster care.

29 (c) Funding for the technical assistance described in this section  
30 may come from the foster youth services budget appropriated by  
31 the annual Budget Act, as determined by the Superintendent, but  
32 shall be no more than 5 percent of the foster youth services budget  
33 allocation for the applicable fiscal year. The remainder of the foster  
34 youth services budget shall be apportioned to county offices of  
35 education operating foster youth services programs in accordance  
36 with Section 42921.

37 ~~SEC. 13. If the Commission on State Mandates determines~~  
38 ~~that this act contains costs mandated by the state, reimbursement~~  
39 ~~to local agencies and school districts for those costs shall be made~~

1 pursuant to Part 7 (commencing with Section 17500) of Division  
2 4 of Title 2 of the Government Code.

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